REBUTTAL TESTIMONY ON REHEARING OF STEPHEN J. WAKEN
ON BEHALF OF AMERITECH ILLINOIS

Q. PLEASE STATE YOUR NAME.

A. My name is Stephen J. Waken.

Q. ARE YOU THE SAME STEPHEN J. WAKEN THAT SUBMITTED DIRECT TESTIMONY ON REHEARING ON BEHALF OF AMERITECH ILLINOIS?

A. Yes.

Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY ON REHEARING?

A. The purpose of my Rebuttal Testimony on Rehearing is to address the testimony

of Mr. Joseph Ayala on behalf of Rhythms Links Inc. My testimony

demonstrates that the assumptions made by Mr. Ayala are incorrect or

inapplicable to Ameritech Illinois, and do not support his conclusion that CLECs

are entitled to direct access to Ameritech Illinois' back office systems. My

testimony also reinforces my previous testimony that Ameritech Illinois currently

provides efficient, effective access to all loop qualification information contained

in Ameritech Illinois' back office systems through the use of Operational Support

Systems, Graphical User Interfaces ("GUIs") and Electronic Gateways.

Q. MR. AYALA ASSERTS THAT THE FCC DEFINES OSS TO INCLUDE BACK OFFICE SYSTEMS. DO YOU AGREE?

A. No. Mr. Ayala cites paragraph 425 of the *UNE Remand Order* as support for

Rhythms' position. That paragraph, however, provides that OSS consist of "pre-

ordering, ordering, provisioning, maintenance and repair, and billing functions

supported by an incumbent LEC's databases and information." In other words,

1   back office systems are not OSS, rather, back office systems support the OSS by

2   providing them with information.

3

4   Given the clarity of the language in the text of paragraph 425, I assume that Mr.

5   Ayala is relying on footnote 835, which states that "OSS are composed of varied

6   systems, databases and personnel that an incumbent LEC uses." Mr. Ayala's

7   interpretation of this footnote would mean that any "personnel" used by

8   Ameritech Illinois are OSS, which is illogical, and that every Ameritech Illinois

9   database (regardless of what it contains) is an OSS, which conflicts with the text

10   of the *UNE Remand Order* (which limits OSS to five specific functionalities).

11   Although I am not a lawyer, I believe this footnote should be read consistent with

12   the text of the *UNE Remand Order*—that OSS consist of five specific functions,

13   and Ameritech Illinois' databases and the personnel it uses *support* the OSS

14   functions.

15

16   I should note that in their recent Proposed Order on Rehearing in Docket No. 00-

17   0592, the Hearing Examiners *rejected the interpretation of the UNE Remand*

18   *Order* advocated by the CLECs here. The Hearing Examiners stated, "Covad

19   does not, and indeed cannot, challenge any particulars of our construction of the

20   federal law or the premise we derive there from, *i.e.*, that the access to which

21   CLECs are entitled is access to the information and not, as Covad would have it,

22   direct access to the back office systems themselves." The Hearing Examiners

23   further stated that the *UNE Remand Order* contains "no language therein to

1   support an entitlement of unmitigated direct access to back office systems."

2   Administrative Law Judge's Proposed Order on Rehearing, *Joint Submission of*

3   *Amended Plan of Record for Operations Support Systems ("OSS")*, Docket No.

4   00-0592 at 12, (July 3, 2001) ("Rehearing HEPO").

5   **Q.   MR. AYALA ASSERTS THAT, IF AMERITECH ILLINOIS PROVIDES**
6   **DIRECT ACCESS TO ANY OF ITS OWN EMPLOYEES, THE FCC**
7   **REQUIRES IT TO PROVIDE THE SAME TYPE OF ACCESS TO CLECS.**
8   **DO YOU AGREE?**
9
10   A.   No. Mr. Ayala cites paragraphs 427 and 428 of the *UNE Remand Order* as

11   support for his position. Although I am not a lawyer, I believe Mr. Ayala

12   misinterprets these paragraphs. Paragraphs 427 and 428 specifically require

13   Ameritech Illinois to provide access to loop qualification *information* via

14   electronic interfaces, gateways and GUIs—not direct access to back office *systems*

15   themselves.

16

17   Again, the Hearing Examiners in their Proposed Order on Rehearing in Docket

18   No. 00-0592 agreed with Ameritech Illinois on this point, finding that the *UNE*

19   *Remand Order* does not require ILECs to provide CLECs with direct access to

20   back office systems. Rather, the Order required ILECs to provide the "same

21   detailed information" about the loop, either via an electronic interface or manually

22   (if a LEC has not compiled the information for itself)—which Ameritech Illinois

23   does. Rehearing HEPO at 11.

24

1   Mr. Ayala makes the same baseless arguments that the CLECs made in the

2   rehearing in Docket No. 00-0592 and, like the Hearing Examiners did in that

3   docket, those arguments should be rejected here.

4

5   In any event, and as I explained in my Direct Testimony on Rehearing, Ameritech

6   Illinois has strict guidelines that permit employees to access only those systems

7   required to perform their assigned duties—such as loading cable inventory.

8   Although certain employees must have direct access to certain back office

9   systems in order to perform their job duties, a single employee would not have

10   direct access to *all* the back office systems and certainly would not have access to

11   back office systems for marketing purposes.

12

13   It is also significant that employees of AADS that sell and maintain DSL services

14   are not permitted to directly access Ameritech Illinois' back office systems.

15   Rather, they access loop qualification information via electronic interfaces,

16   gateways and GUIs, just like other CLECs. Additionally, as I noted above, the

17   Ameritech Illinois employees that use the back office systems do not sell, or even

18   provision DSL services. Rather, these employees perform functions wholly

19   unrelated to provisioning DSL service, and are employed to support wholesale

20   pre-ordering, ordering, provisioning, repair and billing functions of Ameritech

21   Illinois' wholesale services in an impartial manner. Every regulatory authority,

22   including the FCC and the ICC, have put hundreds of measurements in place to

23   ensure that Ameritech Illinois does not violate this impartiality. Accordingly, Mr.

1   Ayala's suggestion that, absent direct access to Ameritech Illinois' back office

2   systems, CLECs will receive less loop qualification information than AADS and

3   Ameritech Illinois, is unsupported and wrong.

4   **Q.   MR. AYALA ASSERTS THAT AMERITECH ILLINOIS FAILED TO**
5   **PROVIDE THE INFORMATION SOUGHT BY COMMISSIONER**
6   **SQUIRES REGARDING WHAT INFORMATION IN ITS BACK OFFICE**
7   **SYSTEMS IS CONSIDERED PROPRIETARY. HOW DO YOU**
8   **RESPOND?**
9
10   A.   I disagree. Mr. Ayala's asserts that "[i]f SBC-Ameritech believes that it has

11   information that is so sensitive . . . SBC-Ameritech would have a detailed and

12   rigorous inventory of such information, complete with security measures." Mr.

13   Ayala appears not to have read my Direct Testimony and exhibits, because they

14   certainly provide a "detailed and vigorous inventory of such information,

15   complete with security measures."

16

17   For example, Attachment B to my Direct Testimony sets forth a system-by system

18   description of the types of information contained in each back office system, and

19   identifies the information that Ameritech Illinois considers proprietary.

20   Attachment C actually provides three examples of the screens that CLECs will

21   view if given direct access to back office systems. The screen prints from LFACS

22   and LMOS clearly demonstrate that Ameritech Illinois back office systems

23   contain information that is confidential and irrelevant to the entire line sharing

24   process. Additionally, on pages 10-14 of my testimony, I explain that back office

25   data bases contain high security information such as (1) fiber and cable

26   deployment; (2) unlisted telephone numbers; (3) technician dispatch of special

1   services; and (4) security alarm information. I fail to understand how I could

2   have provided any more detailed information, as Mr. Ayala suggests I should

3   have. Moreover, if we are going to discuss the failure of parties to address

4   Commissioner Squires' questions, it is notable that the CLECs have failed to

5   identify any information that direct access to back office systems would provide

6   that EDI or GUI access does not provide.

7

8   The bottom line is that I fully identified the confidential information in Ameritech

9   Illinois' back office systems, and have explained why CLECs are not legally

10   entitled to that information. I also have explained that Ameritech Illinois takes

11   the appropriate safeguards to ensure that unauthorized personnel are not permitted

12   to review that confidential, proprietary information. Specifically, Ameritech

13   Illinois utilizes electronic interfaces, gateways and GUIs to protect the non-OSS-

14   related, confidential information in those back office systems, while still

15   providing CLECs will all loop qualification information.

16

17   Significantly, the Hearing Examiners in their Proposed Order on Rehearing in

18   Docket No. 00-0592 agreed with Ameritech Illinois that the confidentiality and

19   security of information in Ameritech Illinois' back office systems are "grave

20   matters," and that "CLECs are not entitled to every piece of information in an

21   ILEC's records or databases." The Hearing Examiners also agreed that "the

22   purpose of electronic gateways such as EDI or GUIs is to provide information

23   contained in Ameritech Illinois OSS systems electronically and eliminate the need

1   for a direct access requirements." These same conclusions should be reached

2   here.

3 Q. MR. AYALA ASSERTS THAT OTHER CARRIERS' CONFIDENTIAL
4   INFORMATION CANNOT BE ACCESSED AND REVIEWED IN THE
5   BACK OFFICE SYSTEMS, BECAUSE "[U]NLESS A CLEC KNEW IN
6   ADVANCE THAT SUCH ADDRESS WAS SERVED BY A COMPETITOR,
7   THE CLEC WOULD NOT KNOW TO LOOK THAT ADDRESS UP."
8   HOW DO YOU RESPOND?
9
10 A. Mr. Ayala is wrong. The only plausible reason for this testimony is that Mr.

11   Ayala does not have a sufficient understanding of the systems, nor of the impact

12   of Rhythms' request. With direct access to Ameritech Illinois' back office

13   systems, CLECs would have the capability to review all service requests for all

14   carriers. The user can simply scan through the facility records to see what

15   services are being provided in a given facility route, then browse through the

16   customers' records, looking at other providers' UNEs.

17
18   Ameritech Illinois is responsible for maintaining the confidentiality of all of its

19   customers' confidential and proprietary information. Although I am not a lawyer,

20   it is my understanding that SBC/Ameritech Illinois could be exposed to the risk of

21   civil liability actions if any user of Ameritech Illinois' systems fails to maintain

22   the confidentiality of information contained in those systems, or if it is ever used

23   in a manner that results in physical or financial harm to another customer or

24   service provider.

25 Q. MR. AYALA ASSERTS THAT AMERITECH ILLINOIS HAS NOT
26   ADEQUATELY IDENTIFIED WHAT "INTERNAL MANAGEMENT
27   INFORMATION" IS OR WHY IT IS CONFIDENTIAL. HOW DO YOU
28   RESPOND?
29

1   A.   As explained in my Direct Testimony on Rehearing, Ameritech Illinois' systems

2   are used for both network inventory and management of our employees and their

3   work activities. Although I believe my testimony is abundantly clear, what I

4   mean by "internal management information" includes the following:

5   1.   Service orders and repair tickets from all wholesale and retail customers;

6   2.   Location of an order or ticket within a work group, how long it has been

7   there and if there are conditions that might prevent it from being

8   completed by the commitment date;

9   3.   Construction activities related to individual customers' service or location;

10   4.   Technician names, schedules, availability and work orders assigned to him

11   or her;

12   5.   Actual location of technicians; and

13   6.   Productivity and performance of technicians and work groups.

14

15   Ameritech Illinois uses this data to ensure we perform our work in a manner that

16   meets customer expectations and all regulatory requirements. If and when this

17   information affects outside organizations, Ameritech Illinois has a process to

18   share it with them. This includes mandated performance results, network

19   disclosure and loop provisioning information.

20

21   For example, SOAC controls orders flowing through the FACS system. If

22   LFACS is unable to assign facilities to an order, SOAC notifies an assignment

23   specialist that action is required. The system maintains a list of all outstanding

1   requests so that none are overlooked. The specialist actually works in both SOAC

2   and LFACS to fix the service request, make an assignment, then move the order

3   back into the automated management flow.

4

5   Additionally, Ameritech Illinois uses LMOS and WFA to dispatch its employees.

6   These systems contain employee availability, schedules and time reporting

7   information transmitted to the payroll system. Ameritech Illinois employees work

8   on many different jobs, and with many customers during the course of the day.

9   Ameritech Illinois uses the back office systems to track the location of its

10   employees so that they can be efficiently dispatched to their next job. WFA is

11   also used to provide information to the billing system when additional services are

12   provided to a wholesale or retail customer during installation and repair. I cannot

13   think of any logical reason why CLECs should be entitled to this information.

14   Q.   **MR. AYALA SUGGESTS THAT THE CONFIDENTIALITY OF**
15   **INTERNAL MANAGEMENT INFORMATION SHOULD NOT BE AN**
16   **ISSUE, BECAUSE "CLECS ARE NOT SEEKING ACCESS TO SUCH**
17   **INFORMATION." HOW DO YOU RESPOND?**
18
19   A.   The CLECs obviously would not come right out and request internal management

20   information, or other non-OSS-related, confidential information in Ameritech

21   Illinois' back office systems, because the CLECs clearly have no legal right to

22   such information. However, the fact of the matter is that the CLECs *are*

23   demanding direct, unmediated access to back office systems that contain

24   confidential information and other information unrelated to loop qualification to

25   which they are not legally entitled. For example, the CLECs request access to

26   SOAC, which contains only management information and contains no loop

1   qualification information. The CLECs also continue to demand access to systems

2   such as TIRKS, SWITCH, FOMS/FUSA, LMOS, MARCH, WFA/DO, and

3   WFA/DI, which do not maintain loop qualification information, as well as many

4   other systems that are not even used by Ameritech Illinois. As I have repeatedly

5   testified, ARES and LFACs contain all of the loop qualification information

6   Ameritech Illinois has available in an electronic format. All of that information is

7   provided to CLECs through electronic interfaces, gateways and GUIs.

8

9   If the CLECs truly do not want this internal management information and other

10   information unrelated to loop qualification, they should withdraw their request for

11   direct access to such systems. The CLECs failure to do so indicates either a lack

12   of understanding of the systems, or the existence of another motive unrelated to

13   Ameritech Illinois' responsibility to provision the HFPL UNE.

14   Q.   **MR. AYALA ASSERTS THAT CLECS HAVE NO WAY OF KNOWING**
15   **WHAT DATA IS IN LFACS AND OTHER BACK OFFICE SYSTEMS.**
16   **HOW DO YOU RESPOND?**
17
18   A.   Mr. Ayala's assertion is disingenuous. Rhythms and Covad conducted an audit of

19   Ameritech Illinois back office systems (including LFACS and ARES, as well as

20   other systems specified in the original order in this docket) in the fall of 2000.

21   Accordingly, Rhythms and Covad already have seen what information is available

22   through Ameritech Illinois' back office systems. Despite the opportunity to audit

23   Ameritech Illinois' back office systems, neither Rhythms nor Covad have

24   identified any information available in those audited systems that they do not

25   already receive from Ameritech Illinois. And, Mr. Ayala also fails to identify any

1   such information in his Direct Testimony. The only logical conclusion to draw

2   from this failure is that there is no information in those systems that the CLECs

3   need for provisioning UNE-based DSL services that they are not already

4   receiving from Ameritech Illinois. Indeed, if the audit had revealed that

5   Ameritech Illinois was failing to provide to CLECs some piece of loop

6   qualification information in those systems, I am confident that the CLECs would

7   have requested that such information be provided.

8

9   It is again worth noting that, in Docket No. 00-0592, the CLECs also failed to

10   identify what information they need via direct access to Ameritech Illinois' back

11   office systems and why it is needed. The Hearing Examiners stated that the

12   CLECs

13   have not identified what information in any of the particular back system
14   is necessary and not being provided them or what cannot be provided them
15   through other systems. For example the CLECs have not told us why the
16   federal POR for Advanced Services wherein AI tell us it has agreed to
17   provide over 30 data elements of information electronically, is inadequate
18   for their purposes.
19
20   Rehearing HEPO at 12 (quoting *OSS Arbitration Order* at 71-72). The Hearing

21   Examiners further stated: "As we see it, and the only way we can view the

22   situation, Covad wants 'something more' than the information to which it is

23   entitled. Covad, however, has not defined this something more nor substantiated

24   any validity for its reach." Accordingly, the Hearing Examiners rejected the

25   CLECs' request for direct access. *Id.* The same result is warranted here.

26 **Q.** **MR. AYALA SUGGESTS THAT THE COMMISSION SHOULD ORDER**
27   **ANOTHER AUDIT OF AMERITECH ILLINOIS BACK OFFICE**
28   **SYSTEMS. HOW DO YOU RESPOND?**

1
2 A. The CLECs have failed to identify any reason for the Commission to order

3   another audit of the back office systems that were subject to the fall 2000 audit.

4   The most Mr. Ayala asserts is that "SBC-Ameritech failed to provide all of the

5   documentation needed by the CLECs to understand fully the operations of, and to

6   interpret the information contained in, the back office systems and databases for

7   the audit conducted last fall." Mr. Ayala fails to identify any specific

8   documentation that the CLECs were denied, and his statement is wrong. In

9   preparation for the audit, Ameritech Illinois assembled detailed database and

10   screen prints for the systems requested by the CLECs. Thousands of pages of

11   documentation with as much detail as exists regarding loop provisioning

12   information were provided to the attendees. Where information did not exist,

13   Ameritech Illinois asked system experts to define and explain the use of the

14   system. In fact, Rhythms demanded an explanation of many unrelated fields, and

15   even unrelated systems, which Ameritech Illinois willingly discussed and

16   provided additional written and verbal descriptions. All in all, Ameritech Illinois

17   went over and above any reasonable expectation of system demonstrations.

18

19   Since the fall 2000 audit, Ameritech Illinois has not received any feedback or

20   follow-up requests for information, which to me confirms that Ameritech Illinois

21   has completely satisfied the CLECs' information request. Mr. Ayala's vague

22   contention that Ameritech Illinois failed to provide some unidentified

23   documentation is inconsistent with Rhythms' and Covad's actions to date.

1 Q. **MR. AYALA ASSERTS THAT THE AUDIT WAS INADEQUATE**
2 **BECAUSE IT DID NOT COVER ALL OF AMERITECH ILLINOIS'**
3 **RELEVANT SYSTEMS, SUCH AS PCAT AND SMART. HOW DO YOU**
4 **RESPOND?**
5
6 A. With respect to PCAT, I should note that, because deployment of Project Pronto

7 has been suspended in Illinois due to technical, operational and economic issues

8 that are the subject of this proceeding, PCAT presently contains no deployment

9 information for the State of Illinois. Accordingly, an Illinois audit of the system

10 would be meaningless.

11

12 Moreover, as I explained in my direct testimony, where Project Pronto is

13 deployed, PCAT contains information for deployment of PRONTO equipment in

14 each geographic region. PCAT will provide LoopQual with the availability dates

15 and information of PRONTO equipment at each remote terminal location. PCAT

16 also provides public network disclosure information required by the FCC and the

17 Commission. If the CLEC Customer uses the LoopQual gateway, PCAT data is

18 displayed automatically, at no additional charge. I see no reason for conducting

19 an audit of this system (and, as stated above, the system would contain no Illinois-

20 specific information).

21

22 With respect to Mr. Ayala's testimony that "SWBT is developing a new outside

23 plant system called 'SMART' to inventory spare fiber facilities in the Project

24 Pronto Architecture," I believe that Mr. Ayala is referring to the SWBT-OptiSys

25 system. OptiSys is a SWBT engineering design system. Ameritech Illinois uses

26 the ARES system to perform outside plant engineering and inventory. Therefore

1   Mr. Ayala's assertion that SMART would be useful to provide services in Illinois

2   is wrong.

3 Q. **MR. AYALA TESTIFIES THAT HE BELIEVES AMERITECH ILLINOIS'**
4   **GATEWAYS IMPROPERLY SCREEN OUT INFORMATION TO WHICH**
5   **CLECS ARE LEGALLY ENTITLED. DO YOU AGREE WITH HIS**
6   **ASSERTION?**
7
8 A. Absolutely not. Mr. Ayala incorrectly suggests that Ameritech Illinois is hiding

9   loop qualification information under the guise that it is proprietary. This simply is

10   not true. CLECs receive *all* loop qualification information via Ameritech Illinois

11   electronic interfaces, gateways and GUIs. Loop qualification information is not

12   filtered by the gateways in any way. The only information that is not provided to

13   CLECs is *non-loop qualification* information, much of which happens to be

14   confidential.

15

16   The fact that Ameritech Illinois is not hiding any loop provisioning information

17   from CLECs is confirmed by the fact that, even though the CLECs conducted an

18   audit of Ameritech Illinois' back office systems in the fall of 2000, they have

19   failed to identify any loop qualification information that they need to provision

20   service that they are not already receiving from Ameritech Illinois.

21

22   In any event, Ameritech Illinois employees are charged with the non-

23   discriminatory provision of the HFPL and other UNEs. It is unreasonable to

24   believe that Ameritech Illinois employees would intentionally hide information

25   that would invoke disciplinary action, whether they were employed in an

26   operational role or in development of systems capabilities. To the contrary,

1   Ameritech Illinois is motivated to streamline its wholesale operations work flows,

2   both internally and externally. It is illogical to believe that Ameritech Illinois

3   would intentionally sabotage these efforts if there is a likelihood that the end-user

4   customer would abandon DSL in favor of another technology, particularly cable

5   modems. It is in Ameritech Illinois' best interest to help the CLECs, not hinder

6   them in their efforts.

7   Q.   **MR. AYALA ASSERTS THAT "RHYTHMS HAS INFORMATION**
8   **INDICATING THAT SBC-AMERITECH MAY HAVE THE CAPABILITY**
9   **NOT ONLY TO DATA MINE, BUT TO USE SUCH DATA TO TRACK**
10   **AND MONITOR THE ACTIVITIES OF CLECS." HOW DO YOU**
11   **RESPOND?**
12
13 A.   Mr. Ayala is wrong and his testimony fails to disclose any such "information."

14   The only "information" Mr. Ayala sets forth in his testimony is unsupported

15   suspicion about what is occurring in the SWBT region. Even if Mr. Ayala's

16   assertions about SWBT were true, they say nothing about what is happening in

17   Illinois. Indeed, SWBT and Ameritech have been independent corporations since

18   the AT&T divesture in 1984. The RBOCs shared some development through

19   Bellcore, now Telcordia, but have also made many independent decisions to vary

20   their approach to new systems.

21
22   SBC has committed to converging both the OSS and the BOS systems of its

23   ILECs over time. Due to the competitive and legal requirements of the

24   SBC/Ameritech merger, we have an intense focus on standardizing the OSSs and

25   the electronic interfaces with other local service providers. The convergence of

26   back office systems will take many years and in some instances, will not be

27   technically feasible. The net result is that the individual business units of SWBT,

1   Ameritech, Pacific Bell and SNET will continue to have major differences in the

2   way they manage information in the back office systems. This means that

3   Rhythms and other CLECs cannot automatically make the assumption that a

4   SWBT procedure applies to Ameritech Illinois, or vice versa.

5 **Q.** **MR. AYALA TESTIFIES THAT ASI HAD READ-ONLY ACCESS TO**
6   **SWBT TIRKS DURING PART OF 2000 AND, THEREFORE, THIS**
7   **ENTITLES CLECS TO DIRECT ACCESS TO AMERITECH ILLINOIS'**
8   **BACK OFFICE SYSTEMS. HOW DO YOU RESPOND?**
9

10 **A.** Again, as I just noted, even assuming that ASI's sale representatives had direct

11   access to SWBT's back office systems (which, as I explain below, was not the

12   case), this says nothing about Ameritech Illinois and AADS.

13

14   Moreover, Mr. Ayala misrepresents the access ASI had to SWBT's back office

15   systems. In 2000, SWBT was required to convert DSL services from the retail

16   wireline operation to the ASI subsidiary. This was a massive conversion of

17   thousands of circuits that required splitting the services from a telco service into

18   separate wholesale and retail components. This process was exceedingly complex

19   and SWBT was permitted only seven months to define the line shared UNEs,

20   create a new advanced services subsidiary with thousands of employees, create

21   new systems and processes, transfer all mandated assets, then convert all of the

22   services to the new subsidiary. Although the transfer was completed according to

23   the FCC's Merger Order and the FCC's *Line Sharing Order*, many database

24   errors remained, resulting in provisioning, billing and repair problems for the end

25   user customers. As a result, special reconciliation teams were established to

26   identify and resolve these errors. The teams, which were not part of the DSL

1   sales and ordering organization, were given read-only access to SWBT TIRKS

2   historical information that would permit correction in the ASI inventory systems.

3   That access has since been revoked. The significant point is that ASI's sales

4   forces were never given direct access to those back office systems.

5
6   Regardless of this one-time situation, SWBT TIRKS is no longer utilized to

7   manage the provisioning of retail or wholesale DSL services by SWBT or ASI,

8   nor was Ameritech Illinois TIRKS *ever* used to perform that function. Moreover,

9   Ameritech Illinois' subsidiary, AADS, never had direct access to TIRKS or any

10   other Ameritech Illinois back office systems. In any event, loop provisioning and

11   configuration information is not managed by TIRKS, but rather is managed by

12   LFACS and ARES, thereby making Mr. Ayala's entire argument moot.

13   Q.   **DOES AMERITECH ILLINOIS AND ITS AFFILIATES HAVE THE**
14   **ABILITY TO ANALYZE LOOP DATA THAT IS NOT AVAILABLE TO**
15   **CLECS?**
16
17   A.   No. In Question and Answer 25, Mr. Ayala describes at length a new capability

18   of LEIS/LEAD, SOAC, and LFACS systems that purportedly "allow[s] the

19   identification of and tracking of facilities that are purchased as UNEs by CLECs,"

20   and "allow[s] the ILEC to develop market and engineering strategies based on

21   data in LFACS". There are multiple errors in Mr. Ayala's conclusion that this

22   feature would allow Ameritech Illinois and its affiliate, AADS, to analyze loop

23   data that is not available to CLECs.

24

25   *First,* Mr. Ayala again discusses his suspicion about the SWBT region, which is

26   totally irrelevant to Ameritech Illinois.

1

2   *Second,* AADS, SBC's data affiliate in Illinois, does not have direct access to

3   LEIS/LEAD, SOAC or LFACS, nor does AADS have access to any of the

4   information detailed in Mr. Ayala's testimony. Additionally, Ameritech Illinois

5   does not sell retail DSL services, only UNEs and the wholesale Broadband

6   Service, and its sales representatives do not have access to the type of information

7   Mr. Ayala suggest they have access to. Accordingly, neither AADS nor

8   Ameritech Illinois' retail representatives have the ability to analyze loop data that

9   is not available to other CLECs.

10
11   *Third,* the information held in the Ameritech Illinois' databases regarding other

12   CLECs' networks and customers is considered confidential and is not, and should

13   not be, shared with other service providers—including Ameritech Illinois' retail

14   representatives, AADS and other CLECs.

15
16   *Fourth,* and perhaps most important, if any capability, such as that described by

17   Mr. Ayala, were added to Ameritech Illinois' systems, it would be used to plan

18   and size the local network—not in the provisioning of service. For example, this

19   type of information would be helpful in planning the CLECs' collocation area--

20   where Ameritech Illinois has received considerable criticism for failing to predict

21   where the CLECs may want to place their equipment. Simply put, if this software

22   modification were made available to Ameritech Illinois, it would be used to better

23   engineer its network—not for provisioning service.

24   Q.   **IN QUESTION 26, MR. AYALA TESTIFIES THAT "BY USING**
25   **FUNCTIONALITY REFERRED TO AS REPORTS AND INQUIRIES,**

1   **SWBT CAN SEARCH FOR AND ANALYZE A WIDE RANGE OF**
2   **SPECIFIC DATA ON ITS LOOP PLANT THAT MAY BE USED TO**
3   **ASSIST IN PROVISIONING ADVANCED SERVICES." HOW DO YOU**
4   **RESPOND?**

5

6   A.   Given the lack of specificity, I can only assume that Mr. Ayala refers to the ability

7   of SWBT (and other ILEC engineering personnel) to plan, augment, maintain and

8   replace the equipment and facilities that make up the entire SWBT network.

9   These reports are not given to AADS, or Ameritech Illinois' retail representatives.

10   Additionally, this information is used to maintain Ameritech Illinois' network, not

11   for provisioning service. In any event, Rhythms assertion that "SBC-Ameritech

12   may have access to this equivalent OSS functionality to which it has denied

13   CLECs access," is incorrect. Indeed, the functionality Mr. Ayala describes is

14   provided to all CLECs as part of the pre-ordering process.

15   Q.   **MR. AYALA ASSERTS THAT DURING THE AUDIT "INFORMATION**
16   **FROM SBC/AMERITECH'S BACK OFFICE SYSTEMS AND**
17   **DATABASES WAS RETURNED WITHIN A FEW SECONDS." HOW DO**
18   **YOU RESPOND?**

19

20   A.   Again, Mr. Ayala misrepresents the scope of the information that was returned in

21   "a few seconds." The observations described by Mr. Ayala appear to be the

22   computer response time to look up *one piece* of information required during a

23   manual loop makeup request—not every piece of loop qualification information

24   that CLECs would seek. Indeed, with direct access to back office systems, a

25   CLEC only would be able to search for one piece of loop qualification

26   information at a time. In order to receive all loop qualification information, many

27   transactions would have to be made in numerous back office systems. In other

28   words, multiple transactions are required in multiple back office systems in order

1   to accumulate all of the information to satisfy the CLEC's loop qualification

2   request.

3

4   As I explained in my direct testimony, it would take approximately 15-20 minutes

5   for a CLEC to directly access all the loop qualification information in the back

6   office systems. In contrast, with Ameritech Illinois' electronic interfaces,

7   gateways and GUIs, all loop qualification information can be returned to the

8   CLECs in one response in approximately 120 seconds. These estimates are based

9   on actual times experienced by skilled Ameritech Illinois specialists.

10 **Q.**   **MR. AYALA TESTIFIES THAT BRITISH TELECOM, THE**
11   **INCUMBENT LOCAL EXCHANGE CARRIER IN THE UNITED**
12   **KINGDOM, ALLOWS DIRECT ACCESS TO ITS SYSTEMS FOR BOTH**
13   **READ-ONLY AND TO ENTER INFORMATION. HOW DO YOU**
14   **RESPOND?**
15
16 **A.**   Mr. Ayala's assertion is totally irrelevant. This is *not* the United Kingdom, this

17   proceeding does *not* involve British Telecom, and British Telecom's systems are

18   *not* Ameritech Illinois' systems. Additionally, I am not, nor does Mr. Ayala

19   appear to be, familiar with the business or regulatory reasons for implementing

20   that policy. And, whatever those reasons may be, there is nothing to suggest they

21   would have any applicability in the United States and, in particular, in Illinois.

22   Nor does Mr. Ayala mention whether British Telecom's systems needed to be

23   enhanced to permit such access, the cost for any such enhancements, how British

24   Telcom was permitted to recover the costs of the enhancements (if any), or the

25   time it took to make such enhancements (if any).

26

1   As explained in my Direct Testimony, Ameritech Illinois' back office systems

2   would require considerable enhancements in order to accommodate direct access

3   by CLECs, the cost of those enhancements would be very high, and the time

4   required to make such enhancements would be long.

5 Q. **MR. AYALA CLAIMS THAT GATEWAYS SCREEN OUT**
6   **PROPRIETARY INFORMATION AND, THEREFORE, AMERITECH**
7   **ILLINOIS MUST BE WITHHOLDING LOOP QUALIFICATION**
8   **INFORMATION FROM CLECS.**
9
10 A. Again, even though the CLECs have conducted an audit of Ameritech Illinois'

11   back office systems, the CLECs have failed to identify any loop qualification

12   information that they are not already receiving from Ameritech Illinois.

13   Moreover, as fully explained in my direct testimony, the gateways *do not* screen

14   out loop qualification information, they screen non-loop qualification information

15   to which CLECs are not legally entitled, much of which is confidential to end-

16   users, other CLECs and Ameritech Illinois.

17

18   Mr. Ayala nevertheless claims that I stated that Ameritech Illinois would not

19   provide loop qualification information on loops serving an airline, because such

20   information is confidential. Mr. Ayala mischaracterizes my testimony. I never

21   stated that Ameritech Illinois would not provide loop qualification information to

22   a CLEC in order to permit the CLEC to provide DSL service to an airline.

23   Rather, I stated that Ameritech Illinois' facility records contain information

24   regarding services such as private lines that do not support the HFPL. Other pairs

25   in that facility may be capable of supporting HFPL, and information regarding

26   those pairs would be available through the loop qualification process.

1   Accordingly, Mr. Ayala's statement, that "if a CLEC wants to provide line shared

2   DSL service to an airline, the CLEC must be allowed to determine which loops

3   serve the airline and the technical characteristics of those loops," is inapposite,

4   because they will receive such loop qualification information.

5 **Q.** **IS THERE ANY REASON WHY AMERITECH ILLINOIS WOULD**
6   **WANT TO IMPEDE ACCESS TO LOOP PROVISIONING**
7   **INFORMATION?**
8

9 **A.** No. In fact, quite the opposite is true. Given that the market share of DSL lags

10   behind other competitive technologies, most notably cable modems, this would be

11   a poor business decision. Ameritech Illinois is motivated to make the process as

12   streamlined as possible so that customers do not feel the need to go to alternative

13   network providers to obtain their broadband services.

14 **Q.** **MR. AYALA STATES THAT IT WOULD NOT BE EXPENSIVE FOR**
15   **AMERITECH ILLINOIS TO PERMIT DIRECT ACCESS TO BACK**
16   **OFFICE SYSTEMS, AND PROTECT PROPRIETARY INFORMATION**
17   **IN THOSE SYSTEM, BECAUSE AMERITECH ILLINOIS COULD**
18   **ASSIGN CLECS PASSWORDS THAT PREVENT THEM FROM**
19   **ACCESSING SYSTEMS THAT CONTAIN PROPRIETARY**
20   **INFORMATION. HOW DO YOU RESPOND?**
21

22 **A.** I disagree. Mr. Ayala incorrectly assumes that proprietary information is

23   exclusively in a few back office systems, and that a password could prevent

24   CLECs from entering those systems. This is not how Ameritech Illinois' back

25   office systems are set up. There are back office systems that contain information

26   to which CLECs are entitled as well as information to which CLECs are not

27   entitled. A simple password would not prevent CLECs from accessing the

28   information to which they are not entitled, while still allowing them to access

29   information to which they are entitled. As explained in my direct testimony on

1   rehearing, massive enhancements to the software in all of the back office systems

2   would be required in order to accommodate direct access to those systems by

3   CLECs, and those modifications would be very costly.

4   **Q.**   **MR. AYALA SPECULATES THAT THERE MAY BE FINANCIAL**
5   **REASONS FOR AMERITECH ILLINOIS TO OPPOSE DIRECT ACCESS**
6   **TO BACK OFFICE SYSTEMS. WHAT IS YOUR RESPONSE?**
7

8   **A.**   As explained in Mr. Welch's and Mr. Cass's testimony, Ameritech-Illinois is no

9   longer proposing a per-minute charge, and hence has no opportunity to use this as

10   a revenue generating opportunity. Moreover, since manual activities are

11   extremely inefficient for the Engineering organization, Ameritech Illinois is

12   motivated to automate as much of this process as quickly as possible, thereby

13   reducing the total number of manual loop requests.

14   **Q.**   **IN HIS TESTIMONY, MR. AYALA DISPUTES THE COSTS REQUIRED**
15   **TO SUPPORT COLLOCATION OF CLEC LINE CARDS IN THE**
16   **PROJECT PRONTO DSL ARCHITECTURE. HOW DO YOU RESPOND?**
17

18   **A.**   I disagree with Mr. Ayala. Mr. Ayala testifies that, in order to inventory and track

19   CLEC owned line cards, "SBC would need only to add an additional field to its

20   existing OSS to indicate the owner of the line card in addition to the information

21   already recorded and stored about line cards." Mr. Ayala is wrong and

22   completely ignores my direct testimony, which lists the functionality that would

23   be needed if Ameritech Illinois were required to maintain CLECs' line cards.

24   Anyone with working knowledge of the multitude of systems that would have to

25   be enhanced to accommodate the CLECs "collocation" proposal would quickly

26   recognize that these enhancements are far from trivial. As explained in my direct

1   testimony, if Ameritech Illinois is ordered to permit the "collocation" of CLEC

2   line cards, it would incur substantial expense.

3 Q. **PLEASE SUMMARIZE AMERITECH ILLINOIS' POSITION ON**
4   **DIRECT ACCESS TO BACK OFFICE SYSTEMS.**
5

6 A. Ameritech Illinois opposes unrestricted direct access, and even read-only access,

7   to its back office systems. Ameritech Illinois should not be required to permit,

8   and CLECs have no right to access, the non-loop qualification information in

9   those systems, particularly in instances where the information is confidential to

10   end-users, other CLECs and Ameritech Illinois. Moreover, the current technical

11   design of Ameritech Illinois' back office systems does not permit access to loop

12   qualification information without also giving access to confidential information.

13   For this very reason, Ameritech Illinois has designed front-end OSSs, GUIs and

14   gateways that protect the non-loop qualification data as well as enhance the users'

15   abilities to obtain the useful information in an efficient manner. These electronic

16   interfaces, gateways and GUIs provide CLECs with all loop qualification

17   information, while maintaining the security of the confidential, non-loop

18   qualification related information contained in those systems. The CLECs have

19   not identified any loop qualification information they need to provision service

20   that is not already provide to them through these electronic interfaces, gateways

21   and GUIs.

22 Q. **DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY ON**
23   **REHEARING?**
24

25 A. Yes.
26